

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Establish Policies, Processes, and Rules to Ensure Reliable Electric Service in California in the Event of an Extreme Weather Event in 2021.	Rulemaking 20-11-003 (Filed November 19, 2020)
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**DECISION GRANTING COMPENSATION TO THE PROTECT OUR COMMUNITIES
FOUNDATION FOR SUBSTANTIAL CONTRIBUTION TO DECISIONS (D.) 21-12-015,
(D.) 21-06-027, (D.) 21-03-056, AND (D.) 21-02-028**

Intervenor: The Protect Our Communities Foundation	For contribution to Decision (D.) D.21-12-015; D.21-06-027; D.21-03-056, D.21-02-028.
Claimed: \$232,330.00	Awarded: \$206,061.63
Assigned Commissioner: Alice Reynolds ¹	Assigned ALJ: Brian Stevens

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	<p>D.21-02-028 directed the utilities to procure additional power to serve the summer of 2021.</p> <p>D.21-03-056 directed the utilities to take certain action for the summers of 2021 and 2022.</p> <p>D.21-06-027 clarified the Emergency Load Reduction Program adopted in D.21-03-056.</p> <p>D.21-12-015 adopted supply- and demand-side measures as contingency resources to support the grid in 2022 and 2023 and closed the proceeding.</p>
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¹ Rulemaking 20-11-003 has been reassigned from Commissioner Marybel Batjer to Commissioner Alice Reynolds as of 2/14/2022.

B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812²:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	12/15/2020	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	01/14/2021	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4)):		
5. Based on ALJ ruling issued in proceeding number:	A.21-05-011	Verified
6. Date of ALJ ruling:	10/28/2021	Verified
7. Based on another CPUC determination (specify):	D.22-01-017; D.22-01-008; D.21-08-018; D.21-05-029; D.21-05-025; D.21-04-009; D.21-03-039; D.21-02-027; D.20-04-021; D.20-04-017; D.19-12-017.	Noted
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A.21-05-011	Verified
10. Date of ALJ ruling:	10/28/2021	Verified
11. Based on another CPUC determination (specify):	D.22-01-017; D.22-01-008; D.21-08-018; D.21-05-029; D.21-05-025; D.21-04-009; D.21-03-039; D.21-02-027; D.20-04-021; D.20-04-017; D.19-12-017.	Noted
12. Has the Intervenor demonstrated significant financial hardship?		Yes

² All statutory references are to California Public Utilities Code unless indicated otherwise.

Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.21-12-015, as modified by D.21-12-069.	Verified
14. Date of issuance of Final Order or Decision:	12/06/2021	Verified
15. File date of compensation request:	02/04/2021	02/04/2022
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor's Comment(s)	CPUC Discussion
B.5-12	<p>The Protect Our Communities Foundation (PCF) meets the definition of a Category 3 customer under the Public Utilities Code section 1802(b)(1)(C) as a “representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers...” Article 3, Section 3.3 of PCF’s Bylaws specifically authorizes the organization to represent the interests of Southern California residential utility ratepayers in proceedings before the Commission and to seek intervenor compensation for doing so. PCF advocates for just and reasonable rates and against unreasonably costly or unnecessary utility projects. PCF advocates for fair and reasonable energy practices, policies, rules, and laws, for the protection of natural resources from the impacts of large-scale energy and industrial infrastructure projects, and in support of sustainable, clean, locally-based energy systems.</p> <p>PCF also qualifies as an environmental group within the scope of Section 1802(b)(1)(C) because it represents the interests of customers with a concern for the environment.</p>	Noted

	<p>A copy of PCF’s Bylaws is on file with the Commission in R.13-12-010. In R.13- 12-010, PCF was found to have satisfied eligibility requirements and to have shown significant financial hardship in the September 26, 2014 Administrative Law Judge’s Ruling on Protect Our Communities Foundation’s Amended Showing of Significant Financial Hardship.</p> <p>A copy of PCF’s Bylaws, as well as a copy of PCF’s Articles of Incorporation, is also on file in A.15-09-013. In A.15-09-013, PCF was found to have satisfied eligibility requirements and to have shown significant financial hardship in D.19-04-031, Decision Granting Compensation to Protect Our Communities for Substantial Contribution to Decision 18-06-028 (April 25, 2019).</p> <p>PCF continues to meet the Commission’s longstanding requirements for a finding of significant financial hardship. Participation without an award of fees would impose a significant financial hardship on PCF (Pub. Util. Code, § 1803, subd. (b)), and the economic interest of the individual members of PCF and the constituents whose interests PCF represents “is small in comparison to the costs of effective participation in this proceeding” (Pub. Util. Code, § 1802, subd. (h)). PCF is a California nonprofit public benefit corporation organized for charitable and public purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. PCF represents the interests of a specific constituency: San Diego and other Southern California area residential utility ratepayers, the majority of whom do not have the financial</p>	
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<p>ability to represent themselves in this proceeding, and whose interests are often not adequately represented in Commission proceedings.</p> <p>PCF's circumstances are materially the same now as when PCF was found to meet the Commission's eligibility requirements for intervenor compensation in numerous prior decisions including those listed here: R.19-11-009, D.22-01-017 (January 13, 2022); R.16-02-007, D.22-01-008 (January 13, 2022); R.18-12-005, D.21-08-018 (August 5, 2021); R.17-06-026, D.21-05-025 (May 29, 2021); A.20-08-011, D.21-05-029 (May 20, 2021); A.20-03-018, D.21-04-009 (April 15, 2021); R.16-02-007, D.21-03-039 (March 18, 2021); A.15-09-010, D.21-02-027 (February 11, 2021); A.15-09-010, D.20-04-021 (April 16, 2020); R.18-12-005, D.20-04-017 (April 16, 2020); A.15-09-010, D.19-12-017 (December 5, 2019); A.12-10-009, D.19.10-047 (October 24, 2019); A.15-09-010, D.19-05-035 (May 30, 2019); A.15-09-013, D.19-04-031 (April 25, 2019); R.16-02-007, D.18-09-039 (September 27, 2018); A.15-09-010, D.18-07-034 (July 26, 2018); A.14-07-009, D.15-12-045 (Dec. 12, 2014).</p>	
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PART II: SUBSTANTIAL CONTRIBUTION**A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p><u>Procurement</u></p> <p>PCF provided detailed evidence, comments, and argument in support of its position that no new procurement was needed. PCF provided detailed information about the mismanagement of supplies at the time of the blackouts, including exports and plants in outage. PCF also argued that the Commission should resolve procurement issues in the other proceedings, such as Resource Adequacy (RA) and Integrated Resource Planning (IRP), where these issues were already within the scope of those proceedings. PCF also supplemented and complemented concerns raised by parties including PCF about disadvantaged communities and fossil fuel usage. PCF's participation contributed to the debate and allowed the Commission to fully consider the need and consequences of ordering new procurement before doing so. The Commission encouraged CAISO to address export problems in the future, an issue PCF focused on in its advocacy. The Commission also reduced the amount of fossil fuel sources that would qualify for additional procurement, as PCF and others had advocated. Additionally, the Commission allowed for</p>	<p><u>Procurement</u></p> <p>PCF 11/30/2020 Comments on OIR, p. 4; PCF 12/10/2020 Comments on OIR, p. 2-3; PCF 12/18/2020 Comments on ALJ Ruling, p. 1, 2, 9; PCF 11/16/2021 Reply Comments on PD, p. 3-4; PCF 1/28/2021 Comments on PD, p. 9-10; PCF 1/11/2021 Opening Testimony of Bill Powers, p. 2, 5; PCF 1/11/2021 Opening Testimony of Richard Humphreys, p. 1, 2; PCF 1/19/2021 Reply Testimony of Bill Powers, p. 10, 11; PCF 1/19/2021 Reply Testimony of Richard Humphreys, p. 2, 3; (PCF 2/5/2021 Opening Legal and Policy Brief, pp. 5-6, 15-17 [re fossil fuel resources]; 2/12/2021 PCF Legal and Policy Reply Brief, p. 2, 3, 5-7; PCF 3/15/2021 Comments on PD, p. 2; PCF 3/15/2021 Comments on PD, p. 2, 3, 8; PCF 3/19/2021 Reply Comments on PD, p. 2; PCF 3/19/2021 Response to ALJ Ruling, p. 1; PCF 6/8/2021 Comments on PD, p. 7-8; PCF 8/6/2021 Comments on ALJ Ruling, p. 1-2, 5-8; PCF 9/1/2021 Opening Testimony, Proposals, & Comments on ED Staff Concepts, p. 4, 9, 12, 15-17, 20, 22, 28; PCF 9/10/2021 Reply Testimony, p. 7, 15; PCF 9/20/2021 Opening Brief, p. 5, 24, 26; PCF 9/27/2021 Reply Brief, p. 10, 14; CAISO 9/27/2021 Reply</p>	<p>Verified</p>

<p>reconsideration of issues decided in R.20-11-003 when they are considered in other proceedings where PCF had advocated that they should be considered.</p>	<p>Brief, p. 2 [CAISO directly debating PCF]; PCF 10/7/2021 Comments on Stack Analysis, p. 3, 6, 9, 11; PCF 11/10/2021 Comments on PD, p. 7-8; PCF 11/16/2021 Reply Comments on PD, p. 4-5; D.21-12-015, p. 16 [“Ultimately, changes to the Commission’s overall resource planning framework may be necessary, but considerations of more permanent changes to the Commission’s RA program requirements and longer-term planning standards should be made in the RA and IRP proceedings, respectively.”]; D.21-12-015, p. 14 [“As noted in D.21-02-028, this incremental procurement is intended to serve CAISO load, and we again encourage CAISO to ensure that these resources do not support exports even if they are not designated as RA resources.”]; D.21-02-028, p. 9 [“We encourage CAISO to ensure that these resources do not support exports even if they are not designated as resource adequacy resources.”]; D.21-03-056, p. 55-56, 58-59 [re backup generation]; <i>see also</i> D.21-12-015, p. 13, fn 10, 131; D.21-02-028, p. 3, fn 3, 13.</p>	
<p><u>Root Cause</u> Due to the fact that the Order Instituting Rulemaking relied on the preliminary root cause analysis as the basis for the proceeding and provided opportunities for party proposals, PCF undertook its own root cause analysis and engaged a root cause analysis expert. PCF investigated root causes of the 2020 blackouts and presented the results of its unique investigation to the Commission in testimony,</p>	<p><u>Root Cause</u> PCF 11/30/2020 Comments on OIR, p. 1, 2; PCF 12/10/2020 Reply Comments on OIR, p. 5; PCF 12/18/2020 Comments on ALJ Ruling, p. 3-7; PCF 2/5/2021 Opening Legal and Policy Brief, p. 9-12; PCF 1/11/2021 Opening Testimony of Richard Humphreys, p. 24; PCF 1/19/2021 Reply Testimony of Bill Powers, p. 3; PCF 1/19/2021 Reply Testimony of Richard Humphreys, p. 1, 7, 9-10;</p>	<p>Verified, in part. The Commission notes that some of PCF’s inputs on the Preliminary Root Cause Analysis did not substantially contribute to the proceeding’s outcomes, as PCF often repeated other parties’ comments</p>

<p>comments, and briefs which enriched the Commission’s deliberations and significantly added to the debate. No other party addressed the root cause of the blackouts in the manner and detail in which PCF investigated and presented its analysis. Major parties directly debated PCF in making their arguments to the Commission. The Commission considered PCF’s arguments and evidence and the debate among the parties, and acknowledged that other reasons for the blackouts could exist as PCF had advocated.</p>	<p>PCF 2/5/2021 Opening Legal and Policy Brief, p. 2-3, 8, 13-14; PCF 9/1/2021 Opening Testimony, Proposals, & Comments on ED Staff Concepts, p. 26; IEP 9/10/2021 Reply Testimony, p. 4 [debating PCF]; PCF 9/27/2021 Reply Brief, p. 5; D.21-02-028, p. 9 [“The Preliminary Root Cause Analysis and the party comments to this proceeding have pointed to a number of causes for the outages, as well as an array of solutions.”]; <i>see also</i> D.21-02-028, p. 3, fn 3, 13.</p>	<p>and studies completed by the CPUC, CEC and CAISO.</p> <p>Also, PCF’s decision to utilize a root cause analysis expert did not substantially enrich the record. Testimony, comments and briefs filed by PCF in relation to this issue do not provide any proposals or insightful analysis, it only questions the quality and accuracy of the Preliminary Root Cause Analysis.</p> <p><i>See</i> CPUC comment in Part III.D [13].</p>
<p><u>Planning Reserve Margin</u></p> <p>PCF presented testimony and submitted comments and briefs in support of its argument that the planning reserve margin should not be increased. PCF and CAISO engaged in a debate about the issue, with CAISO and PCF each directly addressing the position addressed by the other. The Commission considered PCF’s analysis in the debate amongst the parties about the appropriate planning reserve margin. In D.21-02-028 adopted a planning reserve margin of 17.5% only for 2021, and in D.21-03-056 adopted a planning reserve margin of 17.5%, lower than the 20% planning reserve margin that CAISO originally sought. The Commission then included the</p>	<p><u>Planning Reserve Margin</u></p> <p>PCF 12/10/2020 Reply Comments on OIR, p. 1 [challenging CAISO’s request for a 20% PRM]; (PCF 12/10/2020 Reply Comments on OIR, p. 2 [same]; CAISO 1/11/21 Billinton Opening Testimony, p. 1 [[CAISO reduced PRM recommendation from 20% to 17.5% after “further review”]; 1/19/21 CAISO Billinton Reply Testimony, pp. 1-2 [responding to party comment]; PCF 1/19/2021 Reply Testimony of Bill Powers, p. 1, 8 [debating CAISO]; PCF 2/5/2021 Opening Legal and Policy Brief, p. 18-19 [discussing impact on ratepayers]; <i>see also</i> PCF 2/12/2021 Legal and Policy Reply Brief, p. 8; PCF 3/15/2021 Comments on PD, pp. 4-5 [debating</p>	<p>Verified</p>

<p>planning reserve margin for 2022 and/or 2023 in the scope of Phase 2. The Commission again considered PCF's position in assessing the debate amongst the parties. Ultimately, the Commission adopted an "effective" planning reserve margin while allowing for additional consideration of the issue in the RA and IRP proceedings. PCF was the primary advocate demonstrating the PRM was already under evaluation in parallel ongoing Commission proceedings, detailing the various proceedings and the issues within the scope(s) of those proceedings.</p>	<p>CAISO]; PCF 3/19/2021 Response to ALJ Ruling, p. 2; PCF 9/10/2021 Reply Testimony, p. 3; (PCF 9/20/2021 Opening Brief, p. 18; PCF 9/27/2021 Reply Brief, p. 9,10; PCF 11/10/2021 Comments on PD, p. 4 ["Record evidence does not support a determination in the PD that a Planning Reserve Margin (PRM) of between 20 percent and 22.5 percent is necessary to assure summer grid reliability in 2022 and 2023."]; PCF 11/16/2021 Reply Comments on PD, p. 4; D.21-03-056, p. 40, 42 [considering debate among the parties]; D.21-03-056, p. 42 ["changes to resource planning metrics and RA requirements should be made in the IRP and RA proceedings, respectively, and this work is already scoped into those proceedings. In this decision, we adopt an interim approach that effectively increases the PRM beginning summer 2021 to 17.5%. This change is limited to 2021 and 2022, and subject to modification in the RA proceeding."]; <i>see also</i> D.21-03-056, pp. 55-56; D.21-12-015, p. 13, fn 12 [citing to PCF Opening Testimony at 6 when discussing party opposition to a higher PRM absent a more complete loss of load study and consideration in the RA and IRP proceedings.]; <i>see also</i> D.21-12-015, p. 131; D.21-12-015, p. 12 ["We are not changing the PRM applicable to IRP or RA obligations, which is being addressed in those proceedings, but instead we continue the approach adopted in D.21-03-056 of authorizing the three large IOUs to procure additional resources to meet an 'effective PRM.'"]])</p>	
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<p><u>Demand Response/AC Cycling</u></p> <p>PCF contributed to the debate and the Commission’s decision-making process by providing a unique perspective on demand response/AC cycling, including that the program was not functioning as intended and should be evaluated in the DER proceeding. Additionally, if the Commission intended to address the issue in this proceeding, PCF advocated with others that greater equity across customer classes was needed, and that the Commission should include residential customers in the demand response incentive programs. The Commission considered PCF’s and other’s arguments and ultimately the Commission ultimately open its programs to residential customers as well as businesses.</p>	<p><u>Demand Response/AC Cycling</u></p> <p>PCF 11/30/2020 Comments on OIR, p. 6; PCF 2/2/2021 Reply Comments on PD, pp. 3-4); PCF 1/11/2021 Opening Testimony of Bill Powers, p. 19 [regarding smart thermostats]; PCF 2/12/2021 Legal and Policy Reply Brief, pp. 11-12 [smart AC DR program]; PCF 2/5/2021 Opening Legal and Policy Brief, pp. 20-22 [changes under consideration in other proceedings]; PCF 3/15/2021 Comments on PD, p. 9; PCF 2/12/2021 Legal and Policy Reply Brief, p. 3, 12; PCF 3/15/2021 Comments on PD, p. 11 [prohibited resources]; PCF 6/8/2021 Comments on PD, p. 5, 7 [arguing for ELRP cost effectiveness and prohibiting fossil fuel backup]; PCF 9/10/2021 Reply Testimony, p. 16; PCF 11/10/2021 Comments on PD, pp. 10; PCF 9/20/2021 Opening Brief, p. 18; PCF 9/27/2021 Reply Brief, p. 13; PCF 9/27/2021 Reply Brief, p. 16; D.21-02-028, p. 13; D.21-03-056, p. 55-56; .21-12-015, p. 48, fn 57, 131; D.21-12-015, p. 79, 83, 152 [COL 19-21 re smart thermostats].</p>	<p>Verified, in part.</p> <p>The Commission notes that some of PCF’s inputs on demand response/AC cycling did not substantially contribute to the proceeding’s outcomes, as PCF often repeated other parties’ comments/proposals.</p> <p><i>See CPUC comment in Part III.D [13].</i></p>
<p><u>Procedure</u></p> <p>PCF argued that the Commission should not order additional procurement and otherwise decide the relevant issues to this proceeding without first considering evidence and allowing the parties to present alternatives. The Commission adopted PCF’s procedural recommendations in part, by keeping the proceeding open and allowing the parties to submit alternatives and address additional issues in a later phase of the proceeding.</p>	<p><u>Procedure</u></p> <p>PCF 2/5/2021 Opening Legal and Policy Brief, p. 23 pp. 22-25 [arguing the Commission should allow alternatives and evidentiary hearings]; D.21-03-056, p. 54 [Based on comments to the Proposed Decision, we have determined that it is prudent to leave this proceeding open to potentially evaluate and consider the adoption of party proposals, or elements of the party proposals, in an additional phase of this proceeding.]; D.21-03-056, p. 84 [FOF 20: Rulemaking 20-11-003</p>	<p>Verified, in part.</p> <p>While the Commission kept the proceeding open to potentially address further issues scoped, some of PCF’s arguments regarding this issue did not provide a substantial contribution.</p> <p>Other parties in this proceeding, such as</p>

	should remain open to potentially address further issues scoped into this proceeding.].)	CEJA and PG&E, submitted proposals which D.21-03-056 cited as being contributing factors in the decision to keep this proceeding open (e.g., CEJA's Just Flex Rewards proposal and PG&E's Residential Rewards Program proposal). <i>See CPUC comment in Part III.D [13].</i>
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?	Yes.	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes.	Noted
c. If so, provide name of other parties: TURN, Justice Parties, SEIA, Google, Cal Advocates		Noted
d. Intervenor's claim of non-duplication: PCF did not duplicate "the participation of similar interests otherwise adequately represented." (Pub. Util. Code, § 1801.3, subd. (f); D.03-03-031, p. 15-18.) PCF's interests in this proceeding were not adequately represented by other parties. PCF remains the only party focused on the interests of residential Southern California ratepayers. PCF's unique focus, experience, and expertise yields different positions on certain issues and different technical and legal contributions on others. For example, while PCF agrees with TURN on many issues, PCF disagreed with TURN with others, such as the 8pm 15% planning reserve margin. Additionally, PCF also provided unique advocacy for solar + battery backup to avoid additional procurement requirements. To the extent PCF made arguments similar to other parties' arguments, PCF supplemented, complemented, and contributed to the presentations by other parties. As an example, no other party addressed the root cause of the blackouts in the manner and detail in which PCF investigated and presented its analysis. That other parties with similar interests were able to utilize PCF's distinct analysis to support their advocacy further demonstrates non-duplication. (<i>See e.g.</i> CEJA/Sierra Club 9/20/2021		Noted, but see CPUC disallowances and adjustments in Section III.D [13].

Opening Brief, p. 20 & fns. 90-91 [citing to PCFs evidence].) Another example is that in arguing for the maintenance of the prohibition on BUGs, PCF provided legal citations and analysis which others parties were able to utilize thereafter. Additionally, to the extent possible given the truncated requirements and processes involved, PCF engaged with other intervenors in an effort to both avoid duplication and form consensus with other parties.	
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Additional Comments on Part II:

#	Intervenor's Comment	CPUC Discussion
II(A)	<p>The Commission need not fully adopt an intervenor's position on a particular issue for that intervenor to make a substantial contribution.</p> <p>“‘Substantial contribution’ means that, in the judgment of the commission, the customer’s presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer.” (Pub. Util. Code § 1802, subd. (j).)</p> <p>Multiple decisions have been clear that the Commission does not need to adopt an intervenor’s position on a particular issue for that intervenor to make a substantial contribution. (D.08-04-004, p. 5-6 [“the Commission may benefit from an intervenor’s participation even where the Commission did not adopt any of the intervenor’s positions or recommendations”]; D.19-10-019, p. 3-4; D.03-03-031, p. 6 [“substantial contribution</p>	Noted, but see CPUC disallowances and adjustments in Section III.D [13].

	<p>includes evidence or argument that supports part of the decision even if the Commission does not adopt a party's position in total"]; D.21-12-064, <i>Order Vacating Decision and Granting Rehearing of Decision 21-02-027</i> (December 16, 2021), p. 8.)</p> <p>The Commission's longstanding practice of awarding compensation even when the Commission does not ultimately adopt any of the views a party advanced in the proceeding allows for intervenor compensation to be administered in a manner that is consistent with the purpose of the intervenor compensation statutes. (Pub. Util. Code, § 1801.3, subd. (b) ["The provisions of this article shall be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process."].) If parties were only awarded compensation for contributions with which the Commission ultimately agreed, parties with minority viewpoints would not be encouraged to participate.</p>	
II(A)	<p>Substantial Contribution Includes Enriching Deliberations or the Record.</p> <p>Past Commission decisions instruct that intervenors substantially contribute when they have "provided a unique perspective that enriched the Commission's deliberations and the record." (D.05-06-027, p. 5); when they have "assisted the</p>	<p>Noted, but see CPUC disallowances and adjustments in Section III.D [13].</p>

	Commission in the decision-making process” (D.19-10-019, p. 3-4); when they provide a full discussion of the matters at issue so as to allow the Commission “to fully consider the consequences of adopting or rejecting” the parties’ proposals (D.08-04-004, p. 5-6); and when they offer alternative evaluations of the disputes addressed (D.19-10-019, p. 5-6.)	
II(A)	<p>Substantial Contribution Includes Procedural Recommendations.</p> <p>The Commission recognizes that “[p]rocedural outcomes are statutorily recognized as substantial contribution.” (D.19-10-019, p. 7; p. 4 [adoption of “procedural recommendations related to scheduling and evidence.”].)</p>	Noted, but see CPUC disallowances and adjustments in Section III.D [13].
II(B)(d)	<p>No Duplication.</p> <p>No reduction to PCF’s compensation due to duplication is warranted given the standard adopted by the Commission in D.03-03-031 and consistent with Public Utilities Code Sections 1801.3(b) & (f), 1802(j), 1802.5, and 1803. Section 1803 sets forth the requirements for awarding intervenor compensation. Pub. Util. Code, § 1803; D.03-03-031, p. 12-14.</p> <p>An award of compensation for reasonable fees for participation in a proceeding is required when an intervenor (1) complies with Section 1804 and (2) “satisfies both of the following requirements: (a) The customer’s</p>	Noted, but see CPUC disallowances and adjustments in Section III.D [13].

	<p>presentation makes a substantial contribution to the adoption, in whole or in part, of the commission’s order or decision. (b) Participation or intervention without an award of fees or costs imposes a significant financial hardship.” (Pub. Util. Code, § 1803.) Section 1801.3(f) seeks to avoid only (1) “unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented” or (2) “participation that is not necessary for a fair determination of the proceeding.” (Pub. Util. Code, § 1801.3, subd. (f); D.03-03-031, p. 15-18.) The “duplication language contained in the first dependent clause requires the compensation opponent to establish three elements – duplication, similar interests, and adequate representation.” (D.03-03-031, p. 18.)</p> <p>Section 1802.5 provides for full compensation where participation “materially supplements, complements, or contributes to the presentation of another party.” Pub. Util. Code. § 1802.5; <i>see also</i> D.03-03-031, p. 14.</p>	
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PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§ 1801 and § 1806):

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>PCF’s participation in this proceeding reduced ratepayer burdens and has the potential to result in further reductions in costs and in types of procurement when the issues in this proceeding are considered in other proceedings, as PCF advocated. While it is impossible in this case to</p>	<p>Noted</p>

<p>provide an actual dollar value of the benefit to ratepayers of PCF's participation, PCF's fees are small compared to the benefits California and San Diego ratepayers will ultimately realize from PCF's contributions to this proceeding. For example, ratepayers are likely to see substantial savings from the Commission reconsidering the planning reserve margin in other proceedings.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>All of the hours claimed in this request were reasonably necessary to PCF's participation in R.20-11-003. PCF expert, Bill Powers, efficiently prepared detailed testimony and extensive technical analysis at each opportunity provided by the Commission in this proceeding. PCF built upon Mr. Powers' background and participation in previous related proceedings, facilitating PCF's efficient participation and saving time and resources in this proceeding while allowing effective issue spotting and comments.</p> <p>The compressed and fast-paced nature of this proceeding required other PCF representatives to stand in for and provide substantive support when Mr. Powers was unavailable. At those times, PCF utilized the technical expertise of energy analyst Tyson Siegele, whose expertise and extensive experience in related proceedings such as RA and IRP allowed PCF to participate at each stage of this proceeding on the issues regarding which the Commission sought comments.</p> <p>The involvement of attorney and former CPUC President Loretta Lynch throughout the proceeding allowed PCF to include extensive legal analysis in PCF's comments and briefs with extraordinary efficiency. Ms. Lynch's decades of experience and expertise on the issues relevant to this proceeding saved substantial time that would otherwise have been necessary to PCF's participation.</p> <p>Ms. Lynch, Mr. Powers, and Mr. Siegele consulted with and utilized PCF General Counsel Malinda Dickenson as needed. Ms. Dickenson's background, experience, and involvement in numerous related Commission proceedings and other actions also reduced the number of hours incurred for this proceeding.</p> <p>Mr. Powers also consulted with expert Richard Humphreys, who provided testimony on behalf of PCF. Mr. Humphrey's experience and expertise efficiently provided the Commission the ability to fully consider the issues described in the OIR upon which this proceeding was initiated.</p> <p>In preparing testimony, comments, and briefs, Mr. Powers and Ms. Lynch regularly and on numerous occasions consulted with multiple other experts in the field. PCF does <u>not</u> seek compensation for these experts' extraordinarily valuable time. These experts with whom PCF consulted and for which PCF does not seek compensation provided considerable hours and added major value in allowing the Commission to consider a wide range of expert analysis on the relevant technical and legal issues involved.</p>	<p>Noted, but see CPUC disallowances and adjustments in Section III.D. After the adjustments and disallowances made to this claim, the remainder of the hours claimed are reasonable.</p>

<p>PCF also does <u>not</u> claim time spent on any administrative matters, such as time spent filing and serving comments.</p> <p>In a further effort to minimize costs, PCF advocate and policy analyst Julia Severson, whose rate is significantly lower than that of PCF’s experts and attorneys, took the laboring oar in drafting certain motions in response to ALJ rulings and consistent with Commission procedures. Ms. Severson also provided the bulk of the time spent in preparing this request.</p>														
<p>c. Allocation of hours by issue:</p> <p>Based on the details in the timesheets, the approximate allocation of time spent towards proceeding R.20-11-003 is as follows:</p> <table><tr><td>35%</td><td>Lack of Support for New Procurement</td></tr><tr><td>15%</td><td>Root Causes of 2020 Blackouts</td></tr><tr><td>20%</td><td>Planning Reserve Margin</td></tr><tr><td>15%</td><td>Demand Response/AC Cycling</td></tr><tr><td>5%</td><td>Process</td></tr><tr><td>10%</td><td>General Participation</td></tr></table>		35%	Lack of Support for New Procurement	15%	Root Causes of 2020 Blackouts	20%	Planning Reserve Margin	15%	Demand Response/AC Cycling	5%	Process	10%	General Participation	Noted; totals 100%
35%	Lack of Support for New Procurement													
15%	Root Causes of 2020 Blackouts													
20%	Planning Reserve Margin													
15%	Demand Response/AC Cycling													
5%	Process													
10%	General Participation													

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Bill Powers	2020	35.50	\$295	See Comment #1.	\$10,472.50	32.26 [13]	\$295.00	\$9,516.70
Bill Powers	2021	97.50	\$356.50	See Comment #2.	\$34,758.75	88.13 [13]	\$355.00 [1]	\$31,286.15
Loretta Lynch	2020	5	\$630	See Comment #3.	\$3,150	4.61 [13]	\$630.00	\$2,904.30
Loretta Lynch	2021	155.25	\$690	See Comment #4.	\$107,122.50	143.06 [13]	\$690.00 [2]	\$98,711.40
Malinda Dickenson	2021	26.10	\$650	See Comment #5.	\$16,965	23.98 [8, 13]	\$590.00 [3]	\$14,148.20
Tyson Siegele	2021	33.25	\$305	See Comment #6.	\$10,141.25	31.35 [9, 13]	\$305.00	\$9,561.75
Julia Severson	2020	20.35	\$100	See Comment #7.	\$2,035	15.99 [10, 13]	\$100.00	\$1,599.00

Julia Severson	2021	113.75	\$113.50	See Comment #8.	\$12,910.63	104.40 [13]	\$115.00 [5]	\$12,006.00
Richard Humphreys	2020 ³	84	\$356.50	See Comment #9.	\$29,946	66.45 [11, 13]	\$355.00 [7]	\$23,589.75
Subtotal: \$227,501.63						Subtotal: \$203,323.25		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Loretta Lynch	2021	0.5	\$345	½ of hourly rate. See Comment #4.	\$172.50	0.50	\$345.00 [2]	\$172.50
Julia Severson	2021	12.15	\$56.75	½ of hourly rate. See Comment #8.	\$689.51	5.65 [12]	\$57.50 [5]	\$324.88
Julia Severson	2022	18.35	\$56.75 + ½ escalation rate per ALJ-393	½ of hourly rate. See Comment #8 and #10	\$1,041.36	6.85 [12]	\$60.00 [6]	\$411.00
Malinda Dickenson	2022	9	\$325.00 + ½ escalation rate per ALJ-393	½ of hourly rate. See Comment #5 and #10	\$2,925	6.00 [12]	\$305.00 [4]	\$1,830.00
Subtotal: \$4,828.38						Subtotal: \$2,738.38		
TOTAL REQUEST: \$232,330						TOTAL AWARD: \$206,061.63		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>								
ATTORNEY INFORMATION								

³ Per timesheets submitted by PCF, these hours for Humphreys are claimed for the year 2021.

Attorney	Date Admitted to CA BAR ⁴	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Malinda Dickenson	2002	222564	No
Loretta Lynch	1990	151206	No

Attachments Documenting Specific Claim and Comments on Part III:

Attachment or Comment #	Description/Comment
Attachment #1	Certificate of Service
Attachment #2	Timesheet and Categorization
Attachment #3	Bill Powers Resume
Attachment #4	Loretta Lynch Resume
Attachment #5	Malinda Dickenson Resume
Attachment #6	Julia Severson Resume
Attachment #7	Richard Humphreys Resume
Comment #1	Bill Powers basis for 2020 rate: \$295/hour. D.21-05-029, D.21-08-018, D.22-01-008, and D.22-01-017 approved Mr. Power’s 2020 rate of \$295 per hour. (D.22-01-008, p. 27 [comment #3]; D.22-01-008, p. 28 [Finding of Fact #2]; D.21-08-018, p. 24; D.21-08-018, p. 25 [Finding of Fact #2]; D.21-05-029, p. 5 & fn. 7; D.21-05-029, p. 9 [Finding of Fact #5]; D.22-01-017, p. 14; D.22-01-017, p. 18 [Finding of Fact #2].)
Comment #2	Bill Powers basis for 2021 rate: \$356.50/hour Per Resolution ALJ-393, PCF calculates new 2021 rates and justifies them herein. Based on the expert knowledge and experience Mr. Powers provides to PCF, the organization categorizes his work as “Expert – Not Otherwise Classified.” Mr. Powers is a PCF Board Member and a registered professional engineer with extensive knowledge and over 35 years of experience in the fields of energy and environmental engineering, air emissions control, and regional energy planning. Mr. Powers has served as an expert in multiple proceedings at the California Public Utilities Commission and California Energy Commission, and has also served as an expert witness and provided expert testimony on numerous power plant cooling system conversions, power plant and natural gas compressor station emission control assessments, liquefied natural gas (LNG) export projects. Mr. Powers has served as a lead engineer and principal technical consultant on projects such as combustion equipment permitting, non-wires alternatives to transmission lines, air engineering, petroleum refinery and testing, oil and gas production, and more. Because of Mr. Powers’ degrees in mechanical engineering and

⁴ This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

	<p>environmental sciences, his certification as a registered professional engineer in California and Missouri, the recognition of his expert status in dozens of administrative and judicial proceeding, and over 35 years of experience in energy and environmental engineering, PCF recommends that the Commission categorize Mr. Powers as “Expert – Not Otherwise Classified,” “Level V,” and set his hourly rate at \$356.50, which corresponds to an hourly rate at the upper end of the range for his level of experience. Mr. Powers’ resume is attached.</p>
Comment #3	<p>Loretta Lynch basis for 2020 rate: \$630/hour. D.22-01-008 approved a 2020 hourly rate of \$630 for Ms. Lynch. (D.22-01-008, p. 26 [comment #1]; p. 28 [Finding of Fact #2].)</p>
Comment #4	<p>Loretta Lynch basis for 2021 rate: \$690/hour.</p> <p>Per Resolution ALJ-393, PCF calculates new 2021 rates and justifies them herein. Ms. Lynch has been practicing law for over 20 years and served as the President of the California Public Utilities Commission from 2000 through 2002 and as a Commissioner through 2004. Per the Resolution, an attorney with 15+ years of experience is placed at Level V. Per the hourly rate chart approved with the Resolution, the range for Attorneys at Level V is \$486.31 (low), \$606.31 (median), and \$699.03 (high). PCF understands that these rates include overhead costs. PCF requests a 2021 hourly rate of \$690 for Ms. Lynch, close to the high range set by the Commission, which is based on Ms. Lynch’s experience at the California Public Utilities Commission and her 20+ years of litigation and legal experience in the regulatory and energy fields. Ms. Lynch’s resume is attached.</p>
Comment #5	<p>Malinda Dickenson basis for 2021 rate: \$650/hour</p> <p>Per Resolution ALJ-393, PCF calculates new 2021 rates and justifies them herein. Ms. Dickenson has been practicing law since 2002. According to the Resolution, an attorney with 15+ years of experience is placed at Level V. Per the hourly rate chart approved with the Resolution, the range for Attorneys at Level V is \$486.31 (low), \$606.31 (median), and \$699.03 (high); and the range for legal directors is \$529.38 (low), \$707.20 (median), and \$884.06 (high). PCF understands that these rates include overhead costs. PCF requests a 2021 hourly rate of \$650 for Ms. Dickenson, which is based on Ms. Dickenson’s experience and her position as General Counsel for PCF, and is above the median range for Attorneys and below the median range for Legal Directors. Ms. Dickenson’s resume is attached. The requested rate falls well within the established range of rates for attorneys and legal directors with Ms. Dickenson’s level of training and experience and taking into consideration the rates awarded other representatives with comparable training and experience and performing similar services. (Pub. Util. Code, § 1806.)</p>
Comment #6	<p>Tyson Siegle basis for 2021 rate: \$305/hour. D.22-01-017 awarded Mr. Siegle’s 2021 rate of \$305 per hour. (D.22-01-017, p. 14; D.22-01-017, p. 18 [Finding of Fact #2].)</p>

Comment #7	Julia Severson basis for 2020 rate: \$100/hour. D.21-08-018 approved Ms. Severson's 2020 rate of \$100 per hour. (D.21-08-018, p. 23; D.21-08-018, p. 25 [Finding of Fact #2].)
Comment #8	Julia Severson basis for 2021 rate: \$113.50/hour. D.22-01-017 approved Ms. Severson's 2021 hourly rate of \$113.50/hour. (D.22-01-017, p. 14; D.22-01-017, p. 18 [Finding of Fact #2].) Per Resolution ALJ-393, PCF calculates new 2021 and 2022 rates and justifies them herein. Based on the variety of work Ms. Severson completes at PCF, Ms. Severson is most accurately categorized as "Advocate – Not Otherwise Classified." Level I of the 2021 rate calculations sets the experience timeline to 0-1 years. Level II sets the experience timeline to 2-5 years. Ms. Severson holds a bachelor's degree and 1.5 years of experience in the legal field, which exceeds the experience of Level I. Based on her experience and Ms. Severson's substantial and substantive responsibilities at PCF, PCF requests a 2021 rate of \$115, which is commensurate with the high-level rate for Level I. This rate is also the median rate for Paralegals with less than one year of experience. Ms. Severson has more than one year of experience assisting and supporting attorneys with research, which thus also supports Ms. Severson's requested hourly rate for 2021. Ms. Severson's resume is attached.
Comment #9	Richard Humphreys Basis for 2021 Rate: \$356.50 Per Resolution ALJ-393, PCF calculates new 2021 rates and justifies them herein. Based on Mr. Humphreys' expert knowledge and experience, the organization categorizes his work as "Expert – Not Otherwise Classified." Mr. Humphreys is a program manager with extensive knowledge and over 35 years of experience in the fields of electric engineering, chemistry, risk management and root cause analysis. He holds bachelor's and master's degrees in chemical engineering from the Massachusetts Institute of Technology. Mr. Humphreys has served as an engineer for various organizations, such as General Atomics, The Boeing Company, and the United States Air Force, providing expertise in energy, lasers, electro-optic engineering, risk management, and more. In recognition of Mr. Humphreys' degrees in chemical engineering and over 35 years of experience in chemical engineering and energy, PCF recommends that the Commission categorize Mr. Humphries as "Expert – Not Otherwise Classified," "Level V," and set his hourly rate at \$356.50, which corresponds to an hourly rate at the upper end of the range for his level of experience. Mr. Humphrey's resume is attached.
Comment #10	Hourly rates for 2022 PCF seeks compensation for time spent in 2022 by Ms. Dickinson and Ms. Severson for their time spent in preparing this request. PCF requests that the Commission apply the annual escalation methodology adopted in Resolution ALJ-393 to determine the 2022 rate for Ms. Dickinson and Ms. Severson, escalated from their respective 2021 rates described above. <i>See</i> CPUC Resolution ALJ-393 (December 17, 2020), p. 4.

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Bill Powers (Powers) 2021 Hourly Rate	D.22-08-022 verified a 2021 rate of \$356.50 for Bill Powers. However, that rate did not include rounding to the nearest \$5 increment (per D.08-04-010), which brings the 2021 rate to \$355 for Bill Powers. We find this rate reasonable and adopt it here.
[2] Loretta Lynch (Lynch) 2021 Hourly Rate	D.22-10-030 approved the 2021 hourly rate of \$690 for Lynch.
[3] Malinda Dickenson (Dickenson) 2021 Hourly Rate	D.22-10-030 approved the 2021 hourly rate of \$590 for Dickenson.
[4] Malinda Dickenson (Dickenson) 2022 Hourly Rate	PCF requests the Commission to apply the annual escalation methodology adopted in Resolution ALJ-393 for the 2022 rate for Dickenson. Per ALJ-393 methodology, a percent change of 3.31% for 2022 is applied. With a 2021 rate of \$590 for Dickenson and based on the escalation factor of 3.31%, a 2022 rate of \$610 is adopted, rounded to the nearest five dollars.
[5] Julia Severson (Severson) 2021 Hourly Rate	D.22-08-053 approved the 2021 hourly rate of \$115 for Severson.
[6] Julia Severson (Severson) 2022 Hourly Rate	PCF requests the Commission to apply the annual escalation methodology adopted in Resolution ALJ-393 for the 2022 rate for Severson. Per ALJ-393 methodology, a percent change of 3.31% for 2022 is applied. With a 2021 rate of \$115 for Severson and based on the escalation factor of 3.31%, a 2022 rate of \$120 is adopted, rounded to the nearest five dollars.
[7] Richard Humphreys (Humphreys) 2021 Hourly Rate	<p>PCF requests an hourly rate of \$356.50 for Humphreys in 2021. Humphreys has over 35 years of experience in the fields of electric engineering, chemistry, risk management and root cause analysis. He has also served as a program manager and engineer, providing expertise in energy, lasers, and electro-optic engineering to various organizations. Resolution ALJ-393 lists a range of \$219.12 - \$356.50 for Expert - Not Otherwise Classified - Level V with 15+ years' experience, with the median range being \$278.46.</p> <p>An hourly rate of \$355 for 2021 is found to be reasonable and is adopted, rounded to the nearest five dollars.</p>

<p>[8] Dickenson 2021 Hours</p>	<p>Time records for each individual included in the Claim must be provided and must chronologically list the following information, among other things, about each task included in the records: 1) Date when the specific task was performed, 2) The issue in the proceeding that the task addressed (as identified in the Scoping Memo or by the ALJ), 3) Description of the specific task, and 4) Amount of the time spent on the task (in hours or hour fraction). <i>See</i> IComp Program Guide p.25.</p> <p>Therefore, the following hours are disallowed from Dickenson’s 2021 hours because they are deemed to be assigned to tasks that were vague in nature:</p> <ul style="list-style-type: none"> • 2/4/21, “Email correspondence with team.” 0.10 hours are claimed for this entry. PCF remains vague in regards to what this correspondence entailed as these hours are listed under general participation. 0.10 hours are disallowed. <p>We note that the timesheet entries for Dickenson reflect 26.10 hours in 2021. Minus the disallowance of 0.10 hours, the total hours remaining are 26.00 in 2021.</p>
<p>[9] Tyson Siegele (Siegele) 2021 Hours</p>	<p>Time records submitted for Siegele for 2021 excessively label hours in the category of “General Participation.” Normally, the “general work” category includes work for which allocation by issue is almost impossible. Per Intervenor Compensation Program Guide at 26, “time records must not excessively label work as of a ‘General’ issue type (general work on the proceeding).” Most of the professional work on the proceeding can and must be associated with the proceeding’s substantive issues.</p> <p>For 2021, we note that Siegele claimed a total of 33.25 hours. 11.75 of these hours are labeled as general participation. We assess a 5% reduction on these hours, which equals 0.59. Siegele’s 2021 hours now total 32.66.</p>
<p>[10] Severson 2020 Hours</p>	<p>Section 1801.3(f) provides that the Commission should administer the Intervenor Compensation Program “in a manner that avoids unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented or participation that is not necessary for a fair determination of the proceeding.”</p> <p>Therefore, the following IComp preparation hours are disallowed from Severson’s 2020 hours because they are deemed to be unproductive/excessive hours claimed:</p> <ul style="list-style-type: none"> • 12/10/20, 2.00 hours, “locate citation reference, find video clip for citation, clip citation, transcribe for reply comments on OIR.” PCF claimed a total of 2.00 hours in this entry. Clipping/editing video and transcribing are unproductive tasks that did not have a beneficial impact on this proceeding. 2.00 hours are disallowed.

	<p>We note that the timesheet entries for Severson reflect 20.35 hours in 2020. Minus the disallowance of 2.00 hours, the total hours remaining are 18.35 in 2020.</p>
[11] Humphreys 2021 Hours	<p>The following hours are disallowed from Humphreys' 2021 hours because they are deemed to assigned to tasks that were vague in nature:</p> <ul style="list-style-type: none"> • 1/5, 1/8, 1/12, 1/15, 2/9, 3/16/21, 10.00 hours, "Meeting w/ PCF team." PCF claimed a total of 10.00 hours in these entries, which are attributed as general participation hours. There is no other description or explanation into what these meetings with the PCF team entailed, and are vague in nature. 8.00 hours are disallowed. <p>We note that the timesheet entries for Humphreys' reflect 84.00 hours in 2021. Minus the disallowance of 8.00 hours, the total hours remaining are 76.00 in 2021.</p>
[12] Excessive Claim Preparation Hours	<p>The following IComp preparation hours are disallowed from Severson's 2021 hours because they are deemed to be unproductive/excessive hours claimed:</p> <ul style="list-style-type: none"> • 1/7-1/8, 1/11, 1/13-/1/14/21, 5.40 hours, "NOI Draft 1, revise NOI, incorporate blackout NOI edits, revise NOI and add rates and rate categorizations, review NOI, implement edits, finalize." PCF claimed a total of 5.40 hours in these entries. Time spent drafting, revising and editing NOI is deemed excessive for the work performed. 3.00 hours are disallowed. • 12/13-12/15/21, 5.50 hours, "draft blackouts IC draft general sections, review comments and final decisions for template substantial contribution section." PCF claimed a total of 5.50 hours in these entries. Time spent drafting info related to blackouts in the IComp claim general section and reviewing comments are deemed excessive for the work performed. 3.50 hours are disallowed. <p>We note that the 2021 IComp prep timesheet entries for Severson reflect 12.15 hours. Minus the disallowance of 6.50 hours, Severson's hours now total 5.65.</p> <p>The following IComp preparation hours are disallowed from Severson's 2022 hours because they are deemed to be unproductive/excessive hours claimed:</p>

	<ul style="list-style-type: none"> • 2/1-2/3/22, 12.25 hours, “review PCF filings to inform substantial contribution section drafting.” PCF claimed a total of 12.25 hours in these entries. Time spent reviewing filings in order to draft substantial contribution is deemed excessive for the work produced in Part II.A of this claim. 7.00 hours are disallowed. • 2/3/22, 5.50 hours, “draft supplemental filing for IC claim.” PCF claimed a total of 5.50 hours for this entry. PCF submitted a supplemental timesheet attachment to their IComp claim which provides more details regarding the allocation of individual hours already claimed on separate timesheets. However, time spent drafting this supplement is excessive as it only totals 1.5 pages and repeats information found on other timesheets. 4.50 hours are disallowed. <p>We note that the 2022 IComp preparation timesheet entries for Severson reflect 18.35 hours. Minus the disallowance of 11.50 hours, Severson’s hours now total 6.85.</p> <p>The following IComp preparation hours are disallowed from Dickenson’s 2022 hours because they are deemed to be unproductive/excessive hours claimed:</p> <ul style="list-style-type: none"> • 2/4/22, 4.00 hours, “Analyze substantial contributions by PCF and draft substantial contribution section of claim.” PCF claimed a total of 4.00 hours in this entry. Time spent analyzing/drafting section Part II.A is deemed excessive for the work produced. Also, Severson claimed a total of 12.25 hours for similar IComp preparation tasks. 3.00 hours are disallowed. <p>We note that the 2022 IComp preparation timesheet entries for Dickenson reflect 9.00 hours. Minus the disallowance of 3.00 hours, Dickenson’s hours now total 6.00.</p>
<p>[13] Failure To Make Substantial Contribution</p>	<p>PCF does not meet substantial contribution standards of Section 1802(j) or Section 1802.5 regarding parts of its comments on the root cause, demand response/AC cycling and procedure/process issues, as PCF generally repeated other parties’ comments and/or studies completed by the CPUC, CEC and CAISO. The Commission compensates efficient effort that contributes to the proceeding’s outcomes; however, the Commission also disallows inefficient participation that is not contributory to the underlying issues.</p> <p>In their time records, PCF claims a total of 118.30 hours associated with the root cause issue, 121.25 hours associated with the demand response/AC cycling issue, and 8.37 hours associated with the procedure/process issue. We deduct 20% from these hours for failure to uniquely contribute to D.21-12-015, D.21-</p>

	<p>06-027, D.21-03-056, and D.21-02-028. Applying this reduction to the hours noted above results in the following total hours reduced per issue: 23.66 (root cause), 24.25 (demand response/AC cycling) and 1.67 (procedure/process).</p> <p>The following hours are deducted accordingly for each individual below:</p> <p><u>Bill Powers (2020):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 12.83 20% reduction: 2.57</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 3.33 20% reduction: 0.66</p> <p>We note that the timesheet entries for Powers reflect 35.50 hours in 2020. Minus the disallowance of 3.24 hours, the total hours remaining are 32.26 in 2020.</p> <p><u>Bill Powers (2021):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 16.46 20% reduction: 3.29</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 29.38 20% reduction: 5.88</p> <p>We note that the timesheet entries for Powers reflect 97.50 hours in 2021. Minus the disallowance of 9.17 hours, the total hours remaining are 88.33 in 2021.</p> <p><u>Loretta Lynch (2020):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 1.77 20% reduction: 0.35</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 0.188 20% reduction: 0.038</p>
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	<p>We note that the timesheet entries for Lynch reflect 5.00 hours in 2020. Minus the disallowance of 0.388 hours, the total hours remaining are 4.61 in 2020.</p> <p><u>Loretta Lynch (2021):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 23.80 20% reduction: 4.76</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 33.22 20% reduction: 6.64</p> <p>Issue: Procedure/Process Hours Claimed for this Issue: 3.95 20% reduction: 0.79</p> <p>We note that the timesheet entries for Lynch reflect 155.25 hours in 2021. Minus the disallowance of 12.19 hours, the total hours remaining are 143.06 in 2021.</p> <p><u>Malinda Dickenson (2021):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 3.20 20% reduction: 0.64</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 5.64 20% reduction: 1.13</p> <p>Issue: Procedure/Process Hours Claimed for this Issue: 1.25 20% reduction: 0.25</p> <p>We note that the timesheet entries for Dickenson reflect 26.10 hours in 2021. With the disallowance above in item [8] and 2.02 hours here, Dickenson's 2021 hours now total 23.98 in 2021.</p> <p><u>Tyson Siegele (2021):</u></p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 6.58</p>
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	<p>20% reduction: 1.31</p> <p>We note that the timesheet entries for Siegele reflect 33.25 hours in 2021. With the disallowance above in item [9] and 1.31 hours here, Siegele's 2021 hours now total 31.35 in 2021.</p> <p><u>Julia Severson (2020):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 6.78 20% reduction: 1.36</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 5.03 20% reduction: 1.00</p> <p>We note that the timesheet entries for Severson reflect 20.35 hours in 2020. With the disallowance above in item [10] and 2.36 hours here, Severson's 2020 hours now total 15.99 in 2020.</p> <p><u>Julia Severson (2021):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 9.69 20% reduction: 1.94</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 33.88 20% reduction: 6.78</p> <p>Issue: Procedure/Process Hours Claimed for this Issue: 3.17 20% reduction: 0.63</p> <p>We note that the timesheet entries for Severson reflect 113.75 hours in 2021. Minus the disallowance of 9.35 hours, the total hours remaining are 104.40 in 2021.</p> <p><u>Richard Humphreys (2021):</u></p> <p>Issue: Root Cause Hours Claimed for this Issue: 43.75 20% reduction: 8.75</p> <p>Issue: Demand Response/AC Cycling Hours Claimed for this Issue: 4.00</p>
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	<p>20% reduction: 0.80</p> <p>We note that the timesheet entries for Humphreys reflect 84.00 hours in 2021. With the disallowance above in item [11] and 9.55 hours here, Humphreys' 2021 hours now total 66.45 in 2021.</p>
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PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))

A. Opposition: Did any party oppose the Claim?	No
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B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes
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FINDINGS OF FACT

1. The Protect Our Communities Foundation has made a substantial contribution to D.21-12-015, D.21-06-027, D.21-03-056, and D.21-02-028.
2. The requested hourly rates for The Protect Our Communities Foundation's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$206,061.63.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. The Protect Our Communities Foundation is awarded \$206,061.63.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Bear Valley Electric Service, Inc., Liberty Utilities, and PacifiCorp shall pay The Protect Our Communities Foundation their respective shares of the award, based on their California-jurisdictional electric revenues for the 2021 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent electric revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 20, 2022, the 75th day after the filing of The Protect Our Communities Foundation's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D2112015, D2106027, D2103056, D2102028		
Proceeding(s):	R2011003		
Author:	ALJ Brian Stevens		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Bear Valley Electric Service, Inc., Liberty Utilities, and PacifiCorp		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Protect Our Communities Foundation	February 4, 2022	\$232,330.00	\$206,061.63	N/A	Vague hours, excessive general participation hours, unproductive/excessive hours, excessive IComp claim preparation hours, failure to make substantial contribution

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Bill	Powers	Expert – Not Otherwise Classified	\$295	2020	\$295.00
Bill	Powers	Expert – Not Otherwise Classified	\$356.50	2021	\$355.00
Loretta	Lynch	Attorney	\$630	2020	\$630.00
Loretta	Lynch	Attorney	\$690	2021	\$690.00
Malinda	Dickenson	Legal Director/Attorney	\$650	2021	\$590.00
Malinda	Dickenson	Legal Director/Attorney	\$650 + escalation rate per ALJ-393	2022	\$610.00

Tyson	Siegele	Expert – Not Otherwise Classified	\$305	2021	\$305.00
Julia	Severson	Advocate – Not Otherwise Classified	\$100	2020	\$100.00
Julia	Severson	Advocate – Not Otherwise Classified	\$113.50	2021	\$115.00
Julia	Severson	Advocate – Not Otherwise Classified	\$113.50 + escalation rate per ALJ-393	2022	\$120.00
Richard	Humphreys	Expert – Not Otherwise Classified	\$356.50	2021	\$355.00

(END OF APPENDIX)